

U.S. Patent Application No. 09/832,229  
Reply to Office Action dated July 28, 2005

PATENT  
450100-03185

**IN THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application. An identifier indicating the status of each claim is provided.

**Listing of Claims**

1. (Currently Amended) A data transmission device comprising:
  - a first generator for generating a first data stream that is utilized after the first data stream is accumulated in a recording medium on a receiving side;
  - a second generator for generating a second data stream that includes audio data and video data;
  - a multiplexer for multiplexing the first data stream and the second data stream;
  - a transmitter for transmitting the multiplexed data stream that has been multiplexed by the multiplexer; and
  - a controller for controlling the multiplexer so that a transmission rate for the first data stream becomes lower than that for the second data stream,

wherein a maximum combined transmission rate for said multiplexed data stream is 24 Mbps.
2. (Original) A data transmission device according to claim 1, wherein said first data stream includes data relating to an electronic-commercial transaction.
3. (Original) A data transmission device according to claim 1, wherein said first data stream includes audio data and video data.

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4. (Canceled)

5. (Currently Amended) A data transmission device according to ~~claim 4~~ claim 1, wherein a transmission rate for said first data stream is about 2 Mbps.

6. (Currently Amended) A data receiving device comprising:

a receiver for receiving a multiplexed data stream, in which a first data stream, which is utilized after the first data stream is accumulated in a recording medium on a receiving side, and a second data stream including audio data and video data are multiplexed into the multiplexed data stream in such a manner that a transmission rate for the first data stream becomes lower than that for the second data stream,

wherein a maximum combined transmission rate for said multiplexed data stream is 24 Mbps;

a separator for separating the multiplexed data stream, which has been received by the receiver, into the first data stream and the second data stream; and

a recorder for recording the first data stream, which has been separated by the separator, on a recording medium.

7. (Original) A data receiving device according to claim 6, wherein said first data stream includes data relating to electronic-commercial transaction.

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8. (Original) A data receiving device according to claim 6, wherein said first data stream includes audio data and video data.

9. (Canceled)

10. (Currently Amended) A data receiving device according to ~~claim 9~~ claim 6, wherein a transmission rate for said first data stream is about 2 Mbps.

11. (Original) A data receiving device according to claim 6, wherein said recorder records a first data stream, which is in a field with a high user-viewing frequency, for preference.

12. (Original) A data receiving device according to claim 6, wherein said recorder records a first data stream, which is in a field specified beforehand, for preference.

13. (Original) A data receiving device according to claim 6, wherein said recorder includes a hard disk as a recording medium.

14. (Original) A data receiving device according to claim 6, wherein said recorder comprises an outputter for outputting a user's viewing history visually.

15. (Currently Amended) A transmission device comprising:

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transmitting means for transmitting a data stream, which includes audio data and video data, using a program broadcasting band, and transmitting a data stream, which is utilized after this data stream is accumulated in a recording media on a receiving side, by allocating this data stream to a data broadcasting band; and

controlling means for controlling the program broadcasting band and the data broadcasting band so that a sum of the bands does not exceed a given bandwidth,

wherein a maximum sum of said program broadcasting band and said data broadcasting band is 24 Mbps.

16. (Canceled)

17. (Currently Amended) A receiving device comprising:

receiving means for receiving a broadcast in which a data stream including audio data and video data is transmitted using a program broadcasting band and other data stream, which is utilized after this data stream is accumulated in a recording media on a receiving side, is transmitted using a data broadcasting band to which this data stream is allocated, and the program broadcasting band and the data broadcasting band are controlled so that a sum of the bands does not exceed a given bandwidth,

wherein a maximum sum of said program broadcasting band and said data broadcasting band is 24 Mbps;

separating means for separating the data stream, which has been allocated to the data broadcasting band, from the broadcast that has been received by the receiving means; and

recording means for recording the separated data stream.

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18. (Canceled)

19. (Currently Amended) A data transmitting method comprising the step of:  
generating a first data stream that is utilized after the first data stream is  
accumulated in a recording medium on a receiving side;  
generating a second data stream that includes audio data and video data; and  
transmitting a multiplexed data stream that has been multiplexed from the first  
data stream and the second data stream;  
wherein said multiplexed data stream is multiplexed in such a manner that a  
transmission rate for the first data stream becomes lower than that for the second data stream,  
wherein a maximum combined transmission rate for said multiplexed data stream  
is 24 Mbps.

20. (Original) A data transmitting method according to claim 19, wherein said  
first data stream includes data relating to electronic-commercial transaction.

21. (Original) A data transmitting method according to claim 19, wherein said  
first data stream includes audio data and video data.

22. (Canceled)

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23. (Currently Amended) A data transmitting method according to ~~claim 22~~  
claim 19, wherein a transmission rate for said first data stream is about 2 Mbps.

24. (Currently Amended) A data receiving method comprising the step of:  
receiving a multiplexed data stream that is multiplexed from a first data stream  
which is utilized after the first data stream is accumulated in a recording medium on a receiving  
side, and a second data stream including audio data and video data in such a manner that a  
transmission rate for the first data stream becomes lower than that for the second data stream,  
wherein a maximum combined transmission rate for said multiplexed data  
stream is 24 Mbps

separating the multiplexed data stream, which has been received, into the first  
data stream and the second data stream; and  
recording the first data stream, which has been separated, on a recording medium.

25. (Original) A data receiving method according to claim 24, wherein said first  
data stream includes data relating to electronic-commercial transaction.

26. (Original) A data receiving method according to claim 24, wherein said first  
data stream includes audio data and video data.

27. (Canceled)

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28. (Currently Amended) A data receiving method according to ~~claim 27~~ claim 24, wherein a transmission rate for said first data stream is about 2 Mbps.

29. (Original) A data receiving method according to claim 24, wherein a first data stream, which is in a field with a high user-viewing frequency, is recorded for preference on said recording medium.

30. (Original) A data receiving method according to claim 24, wherein a first data stream, which is in a field specified beforehand, is recorded for preference on said recording medium.

31. (Currently Amended) A transmitting method comprising the step of:  
transmitting a data stream including audio data and video data, using a program broadcasting band, and transmitting other data stream, which is utilized after this data stream is accumulated in a recording media on a receiving side, by allocating this data stream to a data broadcasting band; and

controlling the program broadcasting band and the data broadcasting band so that a sum of the bands does not exceed a given bandwidth,

wherein a maximum sum of said program broadcasting band and said data broadcasting band is 24 Mbps.

32. (Canceled).

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33. (Currently Amended) A receiving method comprising the step of:

receiving a broadcast in which a data stream including audio data and video data is transmitted using a program broadcasting band and other data stream, which is utilized after this data stream is accumulated in a recording media on a receiving side, is transmitted using a data broadcasting band to which this data stream is allocated, and the program broadcasting band and the data broadcasting band are controlled so that a sum of the bands does not exceed a given bandwidth,

wherein a maximum sum of said program broadcasting band and said data broadcasting band is 24 Mbps, and wherein

recording the data stream, which has been allocated to the data broadcasting band, from the broadcast received by said receiving step.

34-69. (Canceled)